

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAUL M JONES

LINDSEY SHEPARD

Plaintiff

Civil Action No. 1:14-cv-10301-RGS

V.

CITY LINE AUTO SALES

Defendant

**MOTION FOR ENTRY OF DEFAULT JUDGMENT
FOR FAILURE TO APPEAR AND PLEAD**

IN THIS ACTION, Defendant City Line Auto Sales having been served with process at their current address and failing to answer or plead to Plaintiffs Paul Jones and Lindsey Shepard Complaint filed with the Court, and the Entry of Default having been entered herein and Defendant is not an infant or incompetent person.

The complaint alleged claims of **Breach of Contract, Common Law Fraud, and violation of M.G. L. c. 93A.**

Violation of MGL 93a recovery shall be in the amount of actual damages; or up to three, but not less than two double or triple damages up to the court if it is appropriate in this case.

WHEREFORE, Plaintiffs Paul Jones and Lindsey Shepard prays that this Court enter a default judgment in their favor against Defendant City Line Auto Sales let judgment issue.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff shall recover from Defendant City Line Auto Sales, let execution issue the judgment as follows.

Plaintiffs Paul Jones & Lindsey Shepard states as follows:

1. Court Costs and Fees	\$418.00
2. Violation of Common Law Fraud	\$20,000
3. Violation of Breach of Contract	\$20,000
4. Violation unjust enrichment	\$20,000
5. Actual Damages MGL 93a (Loss of vehicle)	\$16,000
6. Emotional Distress	\$40,000
7. Misrepresentation	\$20,000
8. Embarrassment, humiliation	\$30,000
Total Amount	\$166,418.00

The Plaintiffs Paul Jones and Lindsey Shepard declare under penalty of perjury that the following facts are true and correct to the best of our information and belief.

May 14, 2014

Paul Jones

Lindsey Shepard

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MOTION FOR DEFAULT JUDGMENT

The Plaintiff, pursuant to Fed. R. Civ. P. 55(a), moves this Court for entry of a default judgment against Defendants City Line Auto Sales (hereafter “City Line”) has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise In support of this motion, Plaintiffs Paul Jones & Lindsey Shepard requests the Clerk of Court to enter default Judgment for \$45,000 against Defendant City Line Auto Sales which is not an infant or incompetent person.

Plaintiff states as follows:

1. Plaintiffs filed their Complaint on **02/10/14** and a First Amended Complaint on April 7, 2014.
2. Defendant City Line was served the First Amended Complaint and Summons by Certified Return Green card on **April 17, 2014** it was received and signed by Paul Goupil at 562 Fitchburg Road, Greenville New Hampshire, copy of the Service of Summons is attached hereto as **Exhibit 1**.
3. Defendants’ City Line appearances and answers were due on **May 8, 2014**.

4. Plaintiff filed request for Clerks default on May 13, 2014 and it was granted on May 14, 2014 which is on the **Docket #15**.

6. Entry of Default may be served on the Defendant at 562 Fitchburg Road, Greenville New Hampshire 03048.

Wherefore Plaintiffs ask that the court issue a default Judgment for the sum of \$45,000 against the defendants City Line Auto Sales let execution issue.

Respectfully submitted,

May 14, 2014

Paul Jones

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Lindsey Shepard

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15 Beechwood Rd.

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Respectfully Submitted

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City Line Auto Sales

562 Fitchburg Road

Greenville, New Hampshire 03048

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing will be mailed to all parties in the above action on this 14th day of May, 2014.

May 14, 2014

Respectfully Submitted

Paul Jones

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